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NOTE BY THE SECRETARY-GENERAL CONCERNING THE DATE OF AN ELECTION TO FILL A VACANCY IN THE INTERNATIONAL COURT OF JUSTICE

1. The Registrar of the International Court of Justice, by a letter dated 28 September 1994, informed the Secretary-General of the death of Judge Nikolai Konstantinovitch Tarassov (Russian Federation) on 28 September 1994, and of the occurrence of a vacancy in the Court as a result of that death.

2. Judge Tarassov became a member of the Court as from 9 December 1985 and was re-elected as from 6 February 1988. His present term of office would have expired on 5 February 1997. In accordance with the terms of the Statute of the International Court of Justice, the General Assembly and the Security Council will therefore have to elect a member of the Court to serve for the remainder of Judge Tarassov's term until 5 February 1997.

3. Article 14 of the Statute provides:

> "Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in article 5, and the date of the election shall be fixed by the Security Council."

4. Article 5, paragraph 1, of the Statute provides:

> "At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the States which are parties to the present Statute, and to the members of the national groups appointed under article 4, paragraph 2, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court."

5. In view of the fact that the date of the election is to be fixed by the Security Council, it is suggested that the Council might wish to consider this question at an early meeting. The Secretary-General expects to invite nominations for the vacancy caused by the death of Judge Tarassov by communications immediately after the Security Council has set the date of election, but in any event no later than 28 October 1994.

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